

7079. Misbranding of cottonseed meal. U. S. * * * v. Valley Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9654. I. S. No. 15423-p.)

On April 19, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Valley Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 2, 1917, from the State of Tennessee into the State of Michigan, of a quantity of an article, labeled in part "Veribest Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Crude fiber-----	13.17
Crude protein-----	35.19
Total nitrogen-----	5.63
Total ammonia-----	6.85

Misbranding of the article was alleged for the reason that the statement, to wit, "Analysis: * * * Ammonia $7\frac{1}{2}$ per cent, Protein 38.62 per cent. * * * Crude Fiber not over 10 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than $7\frac{1}{2}$ per cent ammonia, not less than 38.62 per cent protein, and not more than 10 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $7\frac{1}{2}$ per cent of ammonia, not less than 38.62 per cent of protein, and not more than 10 per cent of crude fiber; whereas, in truth and in fact, it contained less ammonia and protein and more crude fiber than was declared on the tags, to wit, 6.85 per cent of ammonia, 35.19 per cent of protein, and approximately 13.17 per cent of crude fiber.

On June 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7080. Adulteration and misbranding of evaporated milk. U. S. * * * v. Logan Commercial Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 9656. I. S. No. 1056-p.)

On July 30, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Logan Commercial Co., doing business at Newberg, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 24, 1917, from the State of Oregon into the State of New Jersey, of a quantity of an article, labeled in part "Marigold Brand Sterilized Unsweetened Evaporated Milk, manufactured by Western Condensed Milk Co., Newberg, Oregon," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Total solids (per cent)-----	22.15
Average net weight of 20 cans (ounces)-----	15 $\frac{1}{2}$

Adulteration of the article was alleged in the information for the reason that a partially evaporated milk had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Evaporated Milk" and "Net Weight 16 Ozs.," borne on the label attached to the cans containing the article, regarding it and the substances and ingredients contained therein, were false and misleading in that they represented that the article consisted wholly of evaporated milk, and that the contents of each of said cans weighed 16 ounces net, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article consisted wholly of evaporated milk, and the contents of each of said cans weighed 16 ounces, whereas, in truth and in fact, it did not consist wholly of evaporated milk, but consisted in whole or in part of a partially evaporated milk, and the contents of each of said cans did not weigh 16 ounces but weighed a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL,

Acting Secretary of Agriculture.

7081. Adulteration and misbranding of evaporated milk. U. S. * * * v. Mohawk Condensed Milk Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 9658. I. S. Nos. 1636-p, 4485-p, 4487-p.)

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mohawk Condensed Milk Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on June 23, 1917, June 8, 1918, and May 16, 1918, from the State of New York into the State of New Jersey, of quantities of an article, labeled in part "Gold Cross Unsweetened Evaporated Milk," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of—		
	June 23, 1917.	May 16, 1918.	June 8, 1918.
Total solids (per cent)-----	25.72	26.77	26.85
Fat (per cent)-----	7.43	7.45	7.50

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, partially evaporated milk, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article in each shipment was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but consisted in whole or in part of partially evaporated milk, and for the further reason that it was a mixture composed in whole or in part of partially evaporated milk prepared in imitation of evaporated milk, and was offered